

## *Gotham Unbound: How New York City Was Liberated From the Grip of Organized Crime*

James B. Jacobs, with Coleen Friel and Robert Radick. New York: New York University Press, 1999.

*reviewed by Louis J. Kern*

While James B. Jacobs does not maintain that the Mafia was the only organized crime group in twentieth-century America, it is his central contention that the Italian-American controlled organized crime families that since the 1930s have dominated illicit businesses—loan-sharking, protection rackets, drugs, prostitution and pornography—also have played a significant and largely unique role in infiltrating and corrupting legitimate businesses and labor unions in larger urban centers like the New York metropolitan area. The Cosa Nostra, he believes, due to its aggressive and often violent racketeering, achieved, in the period between 1920 and 1990 a preeminent criminal economic power that carried with it exceptional social status and significant political influence.

By the 1980s Mafia business interests were divided among five organized-crime families—the Genovese, Gambino, Lucchese, Bonanno, and Colombo. Though the New York City mob has penetrated dozens of city industries since 1920, Jacobs focuses on six key industries that have been extensively and continuously dominated by organized crime. The “mobbed-up” industries that provide the focus for his study are: the garment industry, air freight transport and storage at John F. Kennedy International Airport, Construction and exhibition trades at the Jacob Javits Convention Center, parking and loading/unloading at Fulton Fish Market, the solid waste hauling business in the five boroughs and on Long Island, and the construction industry.

The volume is divided into two equal sections, the first providing an historical overview of the “mobbing-up” of the city, and the second detailing the legal and enforcement bases for the “liberation” of the city from Mafia control. Readers who are anticipating a general historical overview of Mafia activities in the city, however, will be disappointed since central and more colorful elements of Mafia activity—involvement with shipping and the longshoremen’s union, penetration of the restaurant, gambling and funeral trades are not considered here. The primary concern here is to offer a cross-section of organized crime and its familial basis, its status and activities, in the period 1980-85.

Those interested in the excitement and violence that has characterized such recent popular cultural representations of the Mafiosi, from Francis Ford Coppola’s cinematic *Godfather* cycle (1972-90) and the phenomenally popular current television series *The Sopranos*, will also be disappointed. Instead of focusing on the notorious and the spectacular, Jacobs concentrates on the processes of infiltration, organization and maintenance of control that made Mafia families so dominant in these six industries from as early as the 1920s. While he provides a solid and nuanced account of the organization, strategies and operations of the shadow economy of organized crime and its detrimental impact on prices, services and organized labor, the narration is often pedestrian and devoid of color. The book reads more like a textbook than a monographic treatment of its subject, and perhaps classroom use in courses on criminology or the economics of organized crime would be its most appropriate application.

The first section of the volume details Mafia control of industries largely through infiltration and subversion of labor unions, the use of shipping cartels and exclusionary transportation-carting zones. Examples detailed here include the Mafia domination of Mason Tenders Local 23 and IBT Local 282 (construction teamsters), the Master Truckmen of America (a garment industry trucking cartel), and the Gambino family-controlled P & S Sanitation Company (the Bronx) and the National Carting Company of Brooklyn.

Mob controlled industries were, of course, highly profitable enterprises for Mafia families and their associates, and corrupt police, politicians, and union officials also benefited from organized crime. But, as Jacobs makes clear, the general public and especially the rank-and-file members of mob-controlled unions were the primary losers under this system. He finds efforts at combatting mob control prior to 1980 largely ineffective if well-intentioned. In the garbage industry, for instance, he argues that law

enforcement initiatives were sporadic at best. Undercover operations, while successful in identifying companies owned and operated by organized-crime families, secured no jail sentences for offenders, and saw only minimal fines imposed.

The New York State Organized Crime Task Force (OCTF) investigation of the Long Island trash cartel and the subsequent antitrust suit (1982-88) in which twenty-one members of the Lucchese crime family were indicted in 1987-88 is a case in point. Though convicted, the defendants received light sentences (monetary fines ranging from \$6-\$10,000). Ultimately, Robert Kubekca and his partner, Donald Barstow, independent carters who had assisted the OCTF investigation, were murdered (August 1989). Salvatore Avellino, head of the Lucchese family's waste-hauling cartel on Long Island was eventually convicted of conspiracy to murder the independent haulers (1994).

Jacobs argues convincingly that such examples evince the demonstrable failure of traditional law-enforcement techniques and established legal remedies to effectively address the deeply entrenched, systematic and rationalized operations of organized crime syndicates. Enforcement procedures, he finds, were also undermined by political and administrative inertia or lack of will. Since 1980, however, a closely coordinated effort to eliminate Italian-America organized crime families throughout the nation has resulted in an industry-by-industry liberation from Mafia control in New York City. The national campaign by the FBI and the U.S. Department of Justice, in cooperation with state and local law enforcement authorities, provided the basis for this "liberation" of the city.

Up to this point, Jacobs' interpretation is generally straightforward and balanced. But when he details the systematic changes that provided the specific tools that empowered law enforcement and led to the break-up of the Mafia's stranglehold on the six industries under consideration here, his interpretation takes on a tone of political advocacy that undermines its earlier balance. Jacobs makes clear that a series of legislative initiatives and events on the national level set the stage for a more effective anti-mob campaign in the 1980s and 1990s. First, the Omnibus Crime Control and Safe Streets Act (1968) provided for the legalization of wiretapping and electronic bugs as aids in gathering evidence of criminal activity. Then, in 1970, Congress passed the Racketeer Influenced and Corrupt Organizations Act (RICO), that outlawed enterprises characterized by "a pattern of racketeering activity" (131). Also in 1970, Congress established the Witness Security Program (Witness Protection). Finally, J. Edgar Hoover, who had been mysteriously and notoriously passive in pursuing mobsters since the 1950s, died in 1972.

Despite the fact that Jacobs and both of his collaborators are lawyers, little credit for these developments or for the evolution of their application is given to law enforcement personnel, the legal profession, or a renewed political will on Capitol Hill. Instead, Jacobs concentrates on the role of Rudolph Giuliani during his tenure as U.S. Attorney for the Southern District of New York (1983-89) and as mayor of the city (1994 to the present). He emphasizes Giuliani's role (i.e., that of his office) in bringing four of the five most important RICO prosecutions against leading members of the city's five Cosa Nostra families. He concludes that "it is difficult to escape the conclusion that Rudolph Giuliani has played an extremely important role in the struggle to defeat New York City's Cosa Nostra crime families. . . . During his tenure, he compiled a record as the most active and successful organized crime prosecutor since Thomas Dewey" (229).

Though he details the system of court-appointed monitors for corrupt industries—the Independent Public-Sector Inspector General program (IPSIG) and trustees to oversee the cleansing of "mobbed-up" unions, he overestimates the prosecutorial role in their success. While it is certainly the case that the implementation of these more effective remedies to combat Mafia control is predicated on precedent RICO prosecutions, these remedies and the largely nameless former prosecutors and law-enforcement personnel who implemented them were the means by which Cosa Nostra influence and domination of six key New York City industries was terminated. Without these creative remedies that empowered the courts to deal with a systematic and widespread structure of organized crime on a long-term and ongoing basis, RICO would have resulted, like earlier anti-mob law enforcement efforts, in enfeebled prosecution and weakened convictions of isolated individuals that would have left the system essentially unaffected. Given this fact, it seems a bit disingenuous to credit Giuliani with such a central role as the "liberator" of New York City from the Mafia. Certainly, he played a high-profile role, but without the labor of many others, often largely unrecognized, his efforts would have been equally ineffective as earlier law-enforcement overtures had been.

It should also be noted that the political climate in which law enforcement occurred changed dramatically after 1970. Increasingly, in a more conservative political climate, the powers of law-enforcement agencies had been enhanced. Political will on a national level was strengthened and that led to cooperative enforcement opportunities that reenforced local initiatives. The end of Mafia dominance in the city was not achieved in the lengthened shadow of one man, but in the context of a national rededication to a campaign against criminal activity and with new, more effective tools forged by national legislation.

Overall, Jacobs' account provides a factual overview of the rise of organized crime's influence and its demise in New York City. He makes extensive use of New York State Senate documents, reports of investigative agencies, Congressional hearings, personal interviews, union files, specialized reports, documentary materials from the Robert Wagner Labor Archives in the Tamiment Library (NYU) state industrial audits and most of the relevant court cases. The text is supplemented by two appendices -- a "Glossary

of Names” and a “List of Indictments and Judicial Decisions” -- which will prove useful to those pursuing further research in this area. The book offers a solid, reliable account of the history of criminal activity in six industrial areas that many students will find a serviceable starting point for further study of this subject. Unfortunately, the bibliography is incomplete and lists only popular secondary source material and newspaper articles, requiring the student to exploit the notes in order to generate more specific, primary source material. In terms of style, the writing is too often uninspired and the organization of the material (proceeding from one industry to another), while logical, makes the text seem at times somewhat repetitive in its presentation.

Finally, the emphasis on Giuliani’s role in combatting organized crime, while fair from a narrowly prosecutorial perspective, unfortunately obscures the larger issues and initiatives undertaken by scores of others (lesser known) that effectuated the RICO assault on the mob in New York City. The volume makes a useful contribution to the history of organized crime and its influence in New York City and especially its subversion of the trades union movement between 1930 and 1990, but that contribution must be measured against the skewed political emphasis on the role of Giuliani in effectuating the “liberation” of New York City and its unions from the organized crime syndicates.

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